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Attorney for Defendant, DANIEL BOOBAR

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL BOOBAR,

Defendants.

CASE NO. CR-F-02-5301 OWW

STIPULATION AND ORDER FOR A  
RESETTING OF HEARING ON REPORT  
OF PROBATION OFFICER AND  
PRESENTENCE MOTIONS

IT IS HEREBY STIPULATED by and between Plaintiff, the United States of  
America, and the Defendant, by and through his attorney, that the date set for hearing on  
presentence motions and the presentence report of the probation officer and sentencing be  
extended as follows:

Defense Counsel's Informal Objections due to Probation and AUSA:  
by October 24, 2005.

Motions and Formal Objections must be filed with the Court and served on  
Probation and AUSA: by November 7, 2005, and Governments reply will be filed  
by November 21, 2005.

Motions and RPO Hearing: will move from October 24, 2005, at 1:30 p.m. to  
December 5, 2005, at 1:30 p.m.

The parties also agree that any delay resulting from this continuance shall be  
excluded in the interest of justice pursuant to 18 U.S.C. sections 3161(h)(1)(F),  
3161(h)(8)(A) and 3161(h)(8)(B)(I).

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1 On August 15, 2005, Defendants Motion for Discovery Related to Sentencing Issues  
2 was heard, at which time the Court set a compliance date for production of such discovery  
3 for three (3) weeks, to wit September 5, 2005. As of this date, the Government is still in the  
4 process of compiling the discovery.

5 Therefore, good cause exists for this continuance in order to allow the government  
6 additional time to provide the defense with pre-sentence related discovery from the U.S.  
7 Customs as previously ordered on August 15, 2005. The new compliance date is Friday,  
8 September 30, 2005.

9  
10  
11  
12 DATED: October 20, 2005

Respectfully submitted,

13  
14 /s/ Eric K. Fogderude  
15 ERIC K. FOGDERUDE  
16 Attorney for Defendant,  
17 DANIEL BOOBAR

18  
19 DATED: \_10-20-05 \_\_\_\_\_

/s/ Jon Conklin

20 JON CONKLIN  
21 Assistant United States Attorney

22 **ORDER**

23 **IT IS SO ORDERED.**

24  
25 DATED: \_\_\_\_October 25, 2005\_\_\_\_

/s/ OLIVER W. WANGER

26 HONORABLE OLIVER W. WANGER  
27 United States District Court Judge,  
28 Eastern District of California